

Amendments to the Claims

This listing of claims will replace all prior versions, and listings, of claims in the application:

1. (Currently Amended) In a mobile client device, a method of operation comprising:
first providing, by the mobile client device, a first audio signal at a first audio volume level to a user;
.....determining by the mobile client device, ~~the~~ the first audio volume level at which the mobile client device is being utilized by ~~the~~ the user for ~~the~~ the first audio signal; and
~~the mobile client device~~ second providing, by the mobile client device, to the user a second audio signal at a second audio volume level ~~to the user~~, the second audio volume level being based at least in part on the first audio volume level initially; and
while providing the first and second audio signals, incrementally increasing, by the mobile client device, the second audio volume level from the initial volume level, the increased second audio volume level being different from the first audio volume level.
2. (Original) The method of claim 1, wherein said determining comprises the mobile client device determining a first audio volume level at which the mobile client device is being utilized by a user for a first audio signal corresponding to music associated with output of at least one of an MP3 player and a radio included with the mobile client device.
3. (Currently Amended) The method of claim 1, wherein said second providing comprises the mobile client device providing ~~the~~ the second audio signal corresponding to a ring tone associated alert for at least a selected one from the group consisting of an incoming call, a received indication of a text message, and a wireless mobile phone system utilities warning.
4. (Cancelled)
5. (Currently Amended) The method of claim 4~~1~~, wherein said incrementally increasing ~~the second audio volume level~~ comprises incrementally increasing the second audio volume level to a pre-determined upper audio volume level limit of the mobile client device above which hearing damage is likely to occur.

6. (Currently Amended) The method of claim ~~4~~1, wherein said incrementally increasing ~~the second audio volume level~~ comprises incrementally increasing the second audio volume level by a selected one of a constant increment and an increasing increment.

7. (Currently Amended) The method of claim 1, wherein said determining comprises the mobile client device determining ~~a~~the first audio volume level measured as an audio power level~~s~~.

8. (Currently Amended) The method of claim 7, wherein said determining ~~a first audio volume level~~ comprises the mobile client device determining ~~a~~the first audio volume level measured as at least one of volts, watts, and decibels.

9. (Currently Amended) The method of claim 1, wherein said first and second providing comprises the mobile client device mixing said first and second audio signals.

10. (Currently Amended) A wireless mobile phone comprising:
a first audio resource, the first audio resource equipped to provide a first audio signal at a first audio volume level at which the mobile phone is being utilized by a user for the first audio signal; and

a second audio resource, wherein the second audio resource is equipped to
.....provide a second audio signal at a second audio volume level to the user, the second audio volume level being based at least in part on the first audio volume level initially, and
.....when the wireless mobile phone provides the first and second audio signals,
incrementally increase the second audio volume level from the initial volume level, the increased second audio volume level being different from the first audio volume level.

11. (Original) The wireless mobile phone of claim 10, wherein the first audio resource comprises at least one of an MP3 player and a radio.

12. (Original) The wireless mobile phone of claim 10, wherein the second audio resource comprises an audio resource equipped to receive a delivery of a message alert to the user.

13. (Original) The wireless mobile phone of claim 12, wherein the audio resource equipped to receive a delivery of a message alert comprises a ring tone generator.

14. (Currently Amended) The wireless mobile phone of claim 12, wherein the ~~audio resource equipped to receive a delivery of a message alert comprises an~~ audio resource is equipped to receive a delivery of a message alert for at least a selected one from the group consisting of an incoming call, a received indication of a text message, and a wireless mobile phone system utilities warning.

15. (Cancelled)

16. (Currently Amended) The wireless mobile phone of claim ~~15~~10, wherein the ~~second audio resource equipped to incrementally increase the second audio volume level comprises a second~~ audio resource is equipped to incrementally increase the second audio volume level to a pre-determined audio volume level limit above which hearing damage is likely to occur~~an upper audio volume level limit of the wireless mobile phone.~~

17. (Currently Amended) The wireless mobile phone of claim ~~15~~10, wherein the ~~second audio resource equipped to incrementally increase the second audio volume level comprises a second~~ audio resource is equipped to incrementally increase the second audio volume level by a selected one of a constant increment and an increasing increment.

18. (Currently Amended) The wireless mobile phone of claim 10, wherein the ~~first and second audio volumes levels comprises a~~ first and second audio volume levels are measured as audio power levels.

19. (Currently Amended) The wireless mobile phone of claim 18, wherein the audio power levels ~~comprises audio power levels~~ are measured in at least one of volts, watts, and decibels.

20. (Original) The wireless mobile phone of claim 10, further comprising a mixer, the mixer equipped to mix the first and second audio signals.

21 – 28 (Cancelled).

29. (Currently Amended) A mobile client device comprising:
a storage medium having stored therein a plurality of programming instructions, which when executed, the instructions cause the mobile client device to
first provide a first audio signal at a first audio volume level to a user,
determine ~~a~~ the first audio volume level at which the mobile client device is being utilized by ~~a~~ the user for ~~a~~ the first audio signal, and
second provide a second audio signal at a second audio volume level to the user,
the second audio volume level being based at least in part on the first audio volume level initially, and
when the mobile client device provides the first and second audio signals,
incrementally increase the second audio volume level from the initial volume level, the increased second audio volume level being different from the first audio volume level; and
a processor coupled to the storage medium to execute the programming instructions.

30. (Currently Amended) The mobile client device of claim 29, wherein ~~said programming instructions, which when executed, cause the mobile client device to determine a first audio volume level at which the mobile client device is being utilized by a user for a first audio signal~~ the first audio signal corresponding corresponds to music associated with output of at least one of an MP3 player and a radio included with the mobile client device.

31. (Currently amended) The mobile client device of claim 29, wherein ~~said programming instructions, which when executed, cause the mobile client device to provide a~~ the second audio

signal ~~corresponding~~ corresponds to a ring tone associated alert for at least a selected one from the group consisting of an incoming call, a received indication of a text message, and a wireless mobile phone system utilities warning.

32. (Cancelled)

33. (Currently Amended) The mobile client device of claim 29, wherein ~~said programming instructions, which when executed, cause the mobile client device to determine a~~ the first audio volume level is measured as an audio power levels.